

BEFORE THE
POSTAL REGULATORY COMMISSION
WASHINGTON, D.C. 20268-0001

REMOVAL OF RETURN RECEIPT FOR
MERCHANDISE SERVICE FROM THE MAIL
CLASSIFICATION SCHEDULE

Docket No. MC2015-8

**RENEWED REQUEST OF THE UNITED STATES POSTAL SERVICE
TO REMOVE RETURN RECEIPT FOR MERCHANDISE
AND MOTION TO REOPEN DOCKET**
(December 10, 2019)

The United States Postal Service hereby renews its request to remove Return Receipt for Merchandise service (RRM) from the Mail Classification Schedule. Given that the Postal Regulatory Commission has already held that that the removal of RRM comports with 39 U.S.C. § 3642 and 39 C.F.R. § 3020.30 *et seq.*,¹ and therefore no new § 3642 analysis is necessary, the Postal Service seeks expedited review. The Postal Service also moves to reopen Docket No. MC2015-8 to hear this renewed request.²

The Postal Service filed its original request to remove RRM from the Mail Classification Schedule on November 11, 2014.³ The Postal Service explained therein that, with the growth of online tracking and delivery confirmation, paper-based RRM had become outdated; most customers are better served by Signature Confirmation service, which provides evidence of mailing, online tracking, date of delivery, and an electronic

¹ Order No. 2322, Docket No. MC2015-8 (Jan. 15, 2015), at 12-14.

² Commission Rule 3001.45 directs the Postal Service to set forth good cause for a motion to reopen a docket. Reopening Docket No. MC2015-8 is appropriate because it contains the record on which the Postal Service relies in renewing its request to remove RRM.

³ Request of the United States Postal Service to Remove Return Receipt for Merchandise Service from the Mail Classification Schedule, Docket No. MC2015-8 (Nov. 17, 2014) ("2014 RRM Request").

scan of the recipient's signature.⁴ The Postal Service noted that it had accordingly begun actively migrating RRM customers to Signature Confirmation in FY 2012, and that this led to a precipitous decline in RRM volume, from 1.2 million in FY 2011 to 167,239 in FY 2014.⁵ The Postal Service also explained that, of those customers who would like to continue receiving a physical return receipt, most may purchase Certified Mail with Return Receipt Requested.⁶

After a public comment period and a Postal Service response to an information request, the Commission approved the removal of RRM on January 15, 2015, subject to the assessment of a price cap impact based on the alternative services that existing RRM customers might select in its place.⁷ A series of appeals ensued at the United States Court of Appeals for the District of Columbia Circuit. Eventually, the Court held that Order No. 2322's ruling on price cap effects exceeded relevant statutory authority.⁸ The Commission ordered that Docket No. MC2015-8 remain open until it issued a final

⁴ *Id.* at Attachment B. Signature Confirmation service provides mailers of First-Class Package Service, Package Services, Parcel Select (except Parcel Select Lightweight), USPS Retail Ground, and Priority Mail pieces with a record of delivery, the recipient's signature, and end-to-end tracking updates as the item travels to its destination. Mail Classification Schedule 1505.17 (rev. July 31, 2019).

⁵ *Id.* at Attachment B.

⁶ Certified Mail service provides a mailer of First-Class Mail, First-Class Package Service, or Priority Mail with a mailing receipt and electronic confirmation of the date, location, and time of the delivery or attempted delivery. Mail Classification Schedule 1505.5 (rev. Mar. 31, 2019). Although Certified Mail service is only available to this limited range of products, these products represent a majority of parcels sent with RRM service. The remaining customers could shift to these products. As a result, the Postal Service does not anticipate that RRM customers will lose the option of a return receipt postcard following elimination of this service.

⁷ Order No. 2322, *supra* note 1. Also see Response of the United States Postal Service to Order No. 2322, at 2, n. 6 (Jan. 28, 2015).

⁸ *United States Postal Service v. Postal Regulatory Commission*, 886 F.3d 1261, 1262 (D.C. Cir 2018).

order.⁹ On August 29, 2019, the Commission closed Docket Nos. MC2015-8 and MC2015-8R.¹⁰

The Postal Service requests that the Commission reopen Docket No. MC2015-8 and reinstate its original finding that the removal of RRM comports with 39 U.S.C. § 3642 and 39 C.F.R. § 3020.30 *et seq.* A copy of the associated MCS changes (which mirror the proposed MCS changes that the Commission conditionally approved in Docket No. MC2015-8) appears at Attachment A.

There have been no material changes concerning RRM since 2015 that require revisiting Order No. 2322's findings on the appropriateness of removal. RRM volume has flattened and continues to hover at FY 2014 levels,¹¹ while online adoption has only increased, leading to further growth in Signature Confirmation. Additionally, free tracking, first offered by the Postal Service in 1998 as Delivery Confirmation, has expanded beyond Priority Mail to include a wide range of other products used by a multitude of customers. Free tracking has become so pervasive that the only service at present that incurs a fee when USPS Tracking is used is USPS Marketing Mail Parcels.

With the issue of price cap effects resolved, the Postal Service requests that the Commission reinstate its original finding that the removal of RRM comports with 39 U.S.C. § 3642 and 39 C.F.R. § 3020.30 *et seq.*

⁹ Order No. 3000, Docket No. MC2015-8 (Jan. 7, 2016).

¹⁰ Order No. 5214, Docket Nos. MC2015-8 & MC2015-8R (Aug. 29, 2019).

¹¹ Volumes in FY 2015 through FY 2018 were, respectively: 151,498; 188,846; 168,572; 186,907.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

Nabeel R. Cheema

Chief Counsel, Pricing & Product Support

Sean C. Robinson

475 L'Enfant Plaza, S.W.
Washington, D.C. 20260-1137
(202) 268-8405
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ATTACHMENT A TO REQUEST

PROPOSED CHANGES TO MAIL CLASSIFICATION SCHEDULE LANGUAGE

PART A

MARKET DOMINANT PRODUCTS

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1420 Bound Printed Matter Parcels

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1420.5 Optional Features

The following additional postal services may be available in conjunction with the product specified in this section:

- Ancillary Services (1505)
 - Address Correction Service (1505.1)
 - Certificate of Mailing (1505.6)
 - Collect on Delivery (1505.7)
 - USPS Tracking (1505.8)
 - Insurance (1505.9)
 - Return Receipt (1505.13)
 - ~~Return Receipt for Merchandise (1505.14)~~
 - Signature Confirmation (1505.17)
 - Special Handling (1505.18)
- Competitive Ancillary Services (2645)
 - Package Intercept Service (2645.2)
- Pickup On Demand Service

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1425 Media Mail/Library Mail

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1425.5 Optional Features

The following additional postal services may be available in conjunction with the product specified in this section:

- Ancillary Services (1505)
 - Address Correction Service (1505.1)
 - Certificate of Mailing (1505.6)
 - Collect on Delivery (1505.7)
 - USPS Tracking (1505.8)
 - Insurance (1505.9)
 - Return Receipt (1505.13)

- ~~○ Return Receipt for Merchandise (1505.14)~~
 - Signature Confirmation (1505.17)
 - Special Handling (1505.18)
- Competitive Ancillary Services (2645)
 - Package Intercept Service (2645.2)
- Pickup On Demand Service

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1500 Special Services

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1500.2 Products Included in Class

- Ancillary Services (1505)
 - Address Correction Service (1505.1)
 - Applications and Mailing Permits (1505.2)
 - Business Reply Mail (1505.3)
 - Bulk Parcel Return Service (1505.4)
 - Certified Mail (1505.5)
 - Certificate of Mailing (1505.6)
 - Collect on Delivery (1505.7)
 - USPS Tracking (1505.8)
 - Insurance (1505.9)
 - Merchandise Return Service (1505.10)
 - Parcel Airlift (PAL) (1505.11)
 - Registered Mail (1505.12)
 - Return Receipt (1505.13)
 - ~~○ Return Receipt for Merchandise (1505.14)~~
 - Shipper-Paid Forwarding (1505.16)
 - Signature Confirmation Service (1505.17)
 - Special Handling (1505.18)
 - Stamped Envelopes (1505.19)
 - Stamped Cards (1505.20)
 - Premium Stamped Stationery (1505.21)
 - Premium Stamped Cards (1505.22)

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~~1505.14~~ ~~Return Receipt for Merchandise~~

~~1505.14.1~~ ~~Description~~

- ~~a. Return Receipt for Merchandise service provides mailers of Priority Mail, USPS Marketing Mail parcels, USPS Retail Ground, Package Services, Parcel Select, and USPS Retail Ground with a mailing receipt and a return~~

~~receipt providing evidence that the mail has been received at the delivery address, including the recipient's signature. If the initial attempt to deliver the item is not successful, a notice of attempted delivery will be provided to the addressee.~~

- ~~b. Return Receipt for Merchandise service also supplies the mailer with the delivery address if it is different from the address used by the sender.~~
- ~~c. If the mailer does not receive a return receipt within a specified period of time from the date of mailing, the mailer may request evidence of delivery from the delivery record, at no additional charge.~~
- ~~d. Return Receipt for Merchandise service must be requested at the time of mailing.~~

1505.14.2 — Prices

	(\$)
Per Piece (Requested at time of mailing)	4.30

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PART B

COMPETITIVE PRODUCTS

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2110 Priority Mail

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2110.5 Optional Features

The following additional postal services may be available in conjunction with the product specified in this section:

- Pickup On Demand Service
- Ancillary Services (1505)
 - Address Correction Service (1505.1)
 - Business Reply Mail (1505.3)
 - Certified Mail (1505.5)
 - Certificate of Mailing (1505.6)
 - Collect On Delivery (1505.7)
 - USPS Tracking (1505.8)
 - Insurance (1505.9)
 - Merchandise Return (1505.10)
 - Registered Mail (1505.12)
 - Return Receipt (1505.13)
 - ~~Return Receipt for Merchandise (1505.14)~~
 - Signature Confirmation (1505.17)
 - Special Handling (1505.18)
- Competitive Ancillary Services (2545)
 - Adult Signature (2545.1)
 - Package Intercept Service (2545.2)

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2115 Parcel Select

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2115.5 Optional Features

The following additional postal services may be available in conjunction with the product specified in this section:

- Forwarding and Return Service

- Pickup On Demand Service
- Ancillary Services (1505)
 - Address Correction Service (1505.1)
 - Certificate of Mailing (1505.6)
 - Collect On Delivery (1505.7)
 - USPS Tracking (1505.8)
 - Insurance (1505.9)
 - Return Receipt (1505.13)
 - ~~Return Receipt for Merchandise (1505.14)~~
 - Signature Confirmation (1505.17)
 - Special Handling (1505.18)
- Competitive Ancillary Services (2545)
 - Adult Signature (2545.1)
 - Package Intercept Service (2545.2)

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2135 USPS Retail Ground

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2135.5 Optional Features

The following additional postal services may be available in conjunction with the product specified in this section:

- Pickup On Demand Service
- Ancillary Services (1505)
 - Address Correction Service (1505.1)
 - Certificate of Mailing (1505.6)
 - Collect on Delivery (1505.7)
 - USPS Tracking (1505.8)
 - Insurance (1505.9)
 - Merchandise Return Service (1505.10)
 - Return Receipt (1505.13)
 - ~~Return Receipt for Merchandise (1505.14)~~
 - Signature Confirmation (1505.17)
 - Special Handling (1505.18)
- Competitive Ancillary Services (2645)
 - Package Intercept Service (2645.2)

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PART C

GLOSSARY OF TERMS AND CONDITIONS

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Held Mail

Mail will be held at the office of delivery for a specified period of time upon request of the addressee, unless the mail has contrary retention instructions, is perishable, or is Registered Mail, COD mail, insured mail, ~~return receipt for merchandise mail~~, Certified Mail, or Priority Mail Express for which the normal retention period expires before the end of the specified holding period.